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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/606,582	06/29/2000	Michael A. Falco	104108-0014	7601

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EXAMINER	
TRAN, THAI Q	
ART UNIT	**PAPER NUMBER**
2616	

DATE MAILED: 09/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/606,582	FALCO, MICHAEL A.	
	Examiner	Art Unit	
	Thai Tran	2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 June 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *29 June 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 20, 2005 has been entered.

Response to Arguments

2. Applicant's arguments filed June 20, 2005 have been fully considered but they are not persuasive.

In re pages 9-10, applicant states that the claims, as amended, should be in form for allowance because applicant has amended independent claims 1 and 13 to more particularly point out that the system and method store a record as a plurality of stored packets that correspond to received RTP packets that are part of a received record, that each stored packet includes, as its payload, the payload of the corresponding received RTP packet, that the headers of the stored packets include stored timestamps that are derived from the corresponding received RTP timestamp in the headers of the received RTP packets, and that the system thus extracts information of interest from the received RTP packet headers, and uses the extracted information to produce the header for the stored packets, that applicant has also amended independent claims 8 and 20 to point out that the stored timestamps in the stored RTP packets that are part of the stored

records are timestamps that, as set forth in these claims, represent the times at which the first samples in the respective payload were taken, that the method and apparatus in independent claims 8 and 20 take samples of time dependent data or time dependent functions, and the values of the samples are used as the payloads of the respective stored RTP packets in the stored records, that the stored records can thereafter either be retrieved and played in accordance with the stored timestamps (claims 9, 10, 11 and 21, 22, 23), or retrieved and transmitted in accordance with the stored timestamps (claims 12 and 24), and that, when the retrieved records are to be transmitted, the system supplies to each RTP packet contained therein a transmitted RTP timestamp, as set forth in claims 12 and 24.

In response, the examiner respectfully disagrees. As discussed the in the last Office Actions, the proposed combination of Lee and Agraharam et al discloses all the claimed limitations including the newly added limitation "extracting information of interest from the headers of the received RTP packets...each stored packet including as the packet payload...a header that includes...in the received RTP packet header" as amended in claims 1 and 13. Lee discloses in col. 28, lines 43-65 and in col. 29, lines 7-20 that a complete IP/UDP/RTP header compression embodiment compresses each and every field of the original header, e.g. RTP TS, RTP SN, etc. Depending on the header field to be compressed, various compression techniques can be used... with delta encoding, for a give field the compressor sends as a compressed value the difference of the value in the original uncompressed header with respect to the corresponding value in a reference header. ..." From the above passage, it is clear that

the compressed header is generated by extracting information of interest from the headers of the received RTP packets.

Lee also discloses the claimed "storing a record of the data in a persistent medium as a plurality of stored RTP packets whose payloads represent the samples' values and whose stored timestamps represent the times at which the first samples in their respective payloads were taken" is met by the local timer 103 of Fig. 2 disclosed in col. 17, lines 8-24 and col. 29, lines 7-20 of Lee.

The claimed that "the stored records can thereafter either be retrieved and played in accordance with the stored timestamps (claims 9, 10, 11 and 21, 22, 23), or retrieved and transmitted in accordance with the stored timestamps (claims 12 and 24)" is anticipated by the synchronization of the multimedia communications disclosed in page 2, paragraph #0032 of Agraharam et al.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Le (US 6,300,887 B1) in view of Agraharam et al (US 2001/0042114 A1) as set forth the Final Office Action mailed 12/21/04.

Regarding claim 1, Le discloses a method for compressing header of the RTP packets (Fig. 2) comprising:

receiving RTP packets (terminal 102 of Fig. 2, col. 17, lines 8-24), of which each includes a received RTP payload and a respective received RTP timestamp; and

compressing RTP timestamp derived from the corresponding received RTP packet's received RTP timestamp (col. 29, lines 7-20). However, Le does not specifically disclose the claimed receiving a received record and, in response to the received record, storing in a persistent medium a stored record as stored packets of which each corresponds to a respective one of the received RTP packets.

Agraharam et al teaches that RTP packets can be stored and later retrieved on demand (page 2, paragraph #0025).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the capability of storing the RTP packets as taught by Agraharam et al into Lee's system in order to store the RTP packets and later retrieve on demand.

Regarding claim 2, Le also discloses the claimed wherein the stored timestamp in each stored packet header equals to the received RTP timestamp contained in the respective received RTP packet (col. 29, lines 7-20).

Regarding claim 3, Agraharam et al teaches the claimed wherein the format of the stored packet is that of the corresponding received RTP packet (page 2, paragraph #0025).

Regarding claim 4, Agraharam et al teaches the claimed wherein:

the received and stored records contain audio data (page 2, paragraph #0025); and

the method further includes retrieving the stored record and playing it in accordance with the stored timestamps contained therein (page 2, paragraph #0032).

Regarding claim 5, Agraharam et al discloses the claimed wherein:

the received and stored records contain video data (page 2, paragraph #0032); and

the method further includes retrieving the stored record and playing it in accordance with the stored timestamps contained therein (page 2, paragraph #0032).

Regarding claim 6, Le discloses the claimed wherein the method additionally includes:

receiving a second received record in second RTP packets containing audio data, each second RTP packet including a received RTP payload and a respective received RTP timestamp (terminal 102 of Fig. 2, col. 17, lines 8-24 and col. 30, lines 13-26); and

compressing RTP timestamp (col. 29, lines 7-20) and Agraharam et al teaches that the second RTP packets can be stored and later retrieved on demand (page 2, paragraph #0025); retrieving the second stored record (page 2, paragraph #0032); and playing the second stored record simultaneously with the first-mentioned stored record in accordance with the stored timestamps contained in the second stored record (page 2, paragraph #0032).

Regarding claim 7, Agraharam et al teaches the claimed retrieving the stored record and transmitting in accordance with the timestamp in each recorded packet a corresponding transmitted RTP packet including in a header of the transmitted RTP

packet a transmitted RTP timestamp and including payload the same as that of the recorded packet to which that transmitted packet corresponds (page 2, paragraph #0032).

Regarding claim 8, Le discloses a method for compressing header of the RTP packets (Fig. 2) comprising:

taking samples of time-dependent data (terminal 102 of Fig. 2, col. 17, lines 8-24); and

compressing the timestamps of RTP packets whose payloads represent the samples values and whose timestamp represent the times at which the first samples in their respective payloads were taken (local timer 103 of Fig. 2, col. 17, lines 8-24 and col. 29, lines 7-20). However, Le does not specifically disclose the claimed storing a record of the data in a persistent medium as a plurality of stored RTP packets.

Agraharam et al teaches that RTP packets can be stored and later retrieved on demand (page 2, paragraph #0025).

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the capability of storing the RTP packets as taught by Agraharam et al into Lee's system in order to store the RTP packets and later retrieve on demand.

Regarding claim 9, Agraharam et al teaches the claimed wherein:

the sampled data are audio data (page 2, paragraph #0025); and

the method further includes retrieving the stored RTP and playing the audio data in accordance with the stored packets' stored timestamps (page 2, paragraph #0032).

Regarding claim 10, Agraharam et al discloses the claimed wherein:

the sampled data are video data (page 2, paragraph #0032); and

the method further includes retrieving the stored RTP packets and playing the video data in accordance with the stored packets' stored timestamps (page 2, paragraph #0032).

Regarding claim 11, Le discloses the claimed

concurrently with taking the samples of the video data, taking sample of audio data, each second RTP packet including a received RTP payload represent the audio samples' value and whose stored timestamps represents the times at which the first samples in their respective payloads were taken (terminal 102 of Fig. 2, col. 17, lines 8-24 and col. 30, lines 13-26 and local timer 103 of Fig. 2, col. 17, lines 8-24 and col. 29, lines 7-20); and

Agraharam et al teaches that the second RTP packets can be stored and later retrieved on demand (page 2, paragraph #0025); retrieving the second stored record (page 2, paragraph #0032); and playing the second stored record simultaneously with the first-mentioned stored record in accordance with the stored timestamps contained in the second stored record (page 2, paragraph #0032).

Regarding claim 12, Agraharam et al teaches the claimed retrieving the stored record and transmitting in accordance with the stored timestamp in each recorded packet a corresponding transmitted RTP packet including a transmitted RTP timestamp and further including payload that is the same as that of the recorded packet to which that transmitted packet corresponds (page 2, paragraph #0032).

Apparatus claims 13-19 are rejected for the same reasons as discussed in the corresponding method claims 1-7 above.

Apparatus claims 20-24 are rejected for the same reasons as discussed in the corresponding method claims 8-12 above.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Tran whose telephone number is (571) 272-7382. The examiner can normally be reached on Mon. to Friday, 8:00 AM to 5:30 PM.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTQ